



Chairperson Vice-Chair

**DETROIT BOARD OF POLICE COMMISSIONERS
Minutes of the Board of Police Commissioners Meeting
Thursday, June 18, 2009**

The meeting of the Detroit Board of Police Commissioners was held on Thursday, June 18, 2009, at 3:00 p.m., at Police Headquarters, 1300 Beaubien Street, Detroit, Michigan 48226.

ATTENDANCE

Board Members Present

Jim Holley (**ABS**)
Ronald L. Griffin
Toney Stewart
Adela Rivera
Mohamed Okdie

Department Personnel Present

AC Ronald Fleming
DC Herbert Moreland
2nd DC Rodney Liggons
Cmdr. Brian Stair
Lt. Anthony Topp
Lt. Herbert Myles
Sgt. Dwight Snodgrass
Sgt. Rodney Jackson
P.O. Sophia Nelms
P.O. Kelly James
P.O. Latonya Oliver

Board Staff Present

Dante' L. Goss, Executive Director
Celia Banks-Washington, Attorney/Supervising Inv.
Arnold Sheard, Chief Investigator
Lt. Lashinda Houser, Police Personnel
Lt. Daniel Allen
Leslie J. Griffin, Community Affairs Coordinator
P.O. Kent Cooper

OTHERS PRESENT

Santiago Esparza
Ron Scott
Marc Deldin

Mary Lacy
Zack Warmann
Nina Coppola

RECORDERS

PO Terence Bell
Robert Brown

1. CALL TO ORDER

Vice-Chair Griffin called the meeting of the Detroit Board of Police Commissioners to order at 3:24 p.m.

2. APPROVAL OF AGENDA

- **Thursday, June 18, 2009**

MOTION: Comm. Okdie made the motion to approve the Agenda.

SECOND: Comm. Rivera seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. APPROVAL OF MINUTES

- **Thursday, June 11, 2009**

MOTION: Comm. Okdie made the motion to approve the Minutes.

SECOND: Comm. Rivera seconded the motion.

VOTE: All in attendance voted in the affirmative.

4. BOPC OFFICER'S REPORT

1. CHAIRPERSON

2. SECRETARY'S REPORT

Exec Dir. Goss stated due to felony charges the Detroit Police Officer's Association (DPOA) Attorney is not contesting the suspension without pay.

SUSPENSION WITHOUT PAY OF POLICE OFFICER RUFFUS STEWART, BADGE 936, AND POLICE OFFICER LSHAUD WELCOME, BADGE 1107, ASSIGNED TO TACTICAL MOBILE

On March 31, 2009, the Wayne County Prosecutor's Office notified Internal Affairs regarding an allegation that Police Officers Ruffus Stewart, badge 936 and Leshaud Welcome, badge 1107, assigned to Tactical Mobile had falsified arrest reports and committed perjury regarding an arrest of a civilian on February 25, 2009, at approximately 1:15 A.M., for Carrying a Concealed Weapon and Possession of Marijuana. The Wayne County Prosecutor's Office notified Internal Affairs that video footage from the arrest location refuted the officers' arrest reports and testimony.

On March 31, 2009, members of Internal Affairs were directed to obtain department documents pertaining to the incident and to canvass the area of W. Chicago and Schaefer. Additionally, they attempted to locate and interview the civilian complainant with negative results.

A review of the arrest reports prepared by Officers Stewart and Welcome document that on February 25, 2009, at approximately 1:15 A.M., the civilian complainant was traveling westbound on Chicago near Schaefer. Subsequently, Officers Stewart and Welcome affected a traffic stop of the civilian complainant at Chicago and Schaefer for not wearing a seat belt. Officer Stewart asked the complainant for his driver's license, registration, and proof of insurance. He failed to produce the requested documentation and was placed under arrest for not having a valid driver's license. Officer Stewart conducted a custodial search and discovered a handgun in his right coat pocket. Officer Stewart alerted Officer Welcome who recovered the handgun from the complainant's right coat pocket. Officer Stewart continued to search the complainant and found a baggie of marijuana, which was recovered from his left pants pocket.

It should be noted that Officers Stewart and Welcome's arrest reports and Activity Log listed the complainant as the only subject investigated at Chicago and Schaefer.

On April 2, 2009, members of Internal Affairs interviewed the complainant, who stated that he was exiting the interior of the gas station when he observed his vehicle blocked in by a police car. One of the officers asked him if he was the driver of the car and he said, yes. He was handcuffed and the officers then investigated his two vehicle. The officers then searched the vehicle and found a handgun under the hood of the vehicle. The complainant was arrested and charged with possession of the handgun and marijuana.

A review of the security video footage from the BP gas station revealed that the complainant's vehicle was already parked at the gas station prior to being investigated by Officers Stewart and Welcome. It also revealed that three (3) individuals were investigated by Officers Stewart and Welcome and two (2) of those individuals were investigated and released from the scene. The video footage further revealed that Officer Stewart did open the front hood of the vehicle and retrieve an object from the engine compartment prior to arresting the complainant.

A review of the court transcript revealed that on March 16, 2009, Officer Stewart testified at the preliminary examination regarding the arrest of the complainant consistent with his arrest report. The complainant was bound over to the Third Circuit Court for Carrying a Concealed Weapon and Controlled Substance, Possession of Marijuana.

On April 13, 2009, members of Internal Affairs interviewed one of the passengers who corroborated the statement of the complainant.

On April 15, 2009, members of Internal Affairs interviewed the other passenger, whose statement mirrored that of the complainant and the previously interviewed passenger.

On April 30, 2009, at Internal Affairs, Officer Welcome was advised of his Constitutional Rights, under Miranda and he refused to make a statement.

On May 1, 2009, the criminal charges against the complainant were dismissed by motion of the Wayne County Prosecutor's Office.

On May 5, 2009, at Internal Affairs, Officer Stewart was advised of his Constitutional Rights under Miranda and he refused to make a statement.

On May 13, 2009, Officers Stewart and Welcome were suspended from the Detroit Police Department.

On May 14, 2009, an Investigator's Report naming Officers Stewart and Welcome as the defendants was presented to APA Donaldson.

Based upon the above facts and circumstances, it is recommended that Officers Stewart and Welcome be charged with but not limited to, the following violation of the department Rules and Regulations:

CHARGE: CONDUCT UNBECOMING AN OFFICER, CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS; THIS BEING IN VIOLATION OF THE 2003 DETROIT POLICE DEPARTMENT MANUAL SERIES 100, DIRECTIVE 102.3 – 7.9, CONDUCT UNPROFESSIONAL, COMMAND 1.

Due to the seriousness of the conduct, the Chief is requesting your concurrence with the suspension of Police Officer Rufus Stewart and Police Officer Leshaud Welcome without pay, effective June 4, 2009.

Unless contravened by this Board the suspension without pay shall stand.

There were no contraventions.

OFFICE CLOSING

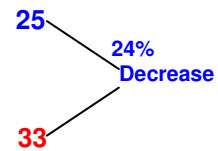
The Board of Police Commissioners' Office and the Office of the Chief Investigator will be **CLOSED** on the following date:

- Friday, July 3, 2009, in observance of Independence Day.

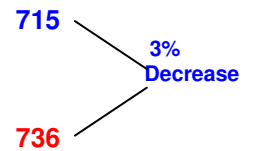
CITIZEN COMPLAINTS RECEIVED

2009 - Weekly Count of Complaints:

This Week



Year to Date



2008 - Weekly Count of Complaints:

- The Office of the Chief Investigator has a total of **1,218** active investigations, of which **522** of those are for 2009. A total of **775** investigations have been closed since January 1, 2009.

TOTAL WEEKLY ALLEGATIONS & COMMAND

Total	COMMAND	ALLEGATIONS									Total
CCR	W/E 06/18/09	Arrest	Demeanor	Force	Harassment	Entry	Procedure	Property	Search	Service	Allegations
3	12TH PRECINCT		3				3				6
3	CENTRAL		2				1			1	4
5	COMMUNICATIONS*		4							3	7
5	EASTERN*		2	1			1			2	6
2	INVESTIGATIVE OPS		1				1				2
2	NARCOTICS						2				2
2	NORTHWESTERN		1				1				2
2	SOUTHWESTERN		2				1				3
4	UNKNOWN COMMAND		1	2			2			1	6
28	*3 CCRs Multiple Alleg.		16	3			12			7	38

5. PRESENTATION/REPORT-CHIEF OF POLICE

June 18, 2009

Volume 5, Issue 25

Detroit Police Department

Report to the Board of Police Commissioners



Special Points of Interest:

• Next meeting:

Thursday, June 25, 2009

@ 3:00 P.M.

Detroit Police Department
1300 Beaubien St. Suite 328-A
Detroit, Michigan 48226

"Building a Safer Detroit Through Community Partnerships"

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take the guns and drugs off the streets of the city of Detroit.

SPECIAL ENFORCEMENT ACTIONS

Domestic Violence

On June 10, 2009, officers of the Northwestern District responded to the 19000 block of Manor on an "Assault." As a result of the investigation conducted by members of Domestic Violence, a subject was charged with "Assault With Intent to Do Great Bodily Harm Less Than Murder, Felonious Assault, Domestic Violence, and Commission of a Felony With a Motor Vehicle."

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Domestic Violence 1

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Central District 2

Northeastern District 2

Tenth Precinct 2

Southwestern District 2

Engaging the Community

Citizens wishing to make a police report may do so at the District/Precinct stations in the city of Detroit. Citizens may also utilize the following District Mini/Sub-Stations to make reports.

	<u>Location</u>	<u>Hours of Operation</u>	<u>Telephone</u>
	1300 Beaubien	24 Hours	596-5100
	2151 E. Jefferson	24 Hours	596-6400
	7737 Kercheval	*8 a.m. to 2 p.m.	628-2121
	19810 Grand River	*9 a.m. to 9 p.m.	870-0649
	13530 Lesure	8 a.m. to 11 p.m.	596-5300
	2575 S. Schaefer	*3 p.m. to 9 p.m.	297-9423
	20 Atwater	24 Hours	237-2850
	13206 E. Jefferson	*3 p.m. to 9 p.m.	821-5851
	22101 Moross (St. John Hospital)	*3 p.m. to 9 p.m.	343-7506
	14700 Mack	*3 p.m. to 9 p.m.	852-4046

* Mini-Stations- Monday -Friday

June 18, 2009

Police / Community Intervention

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Twelfth Precinct

On June 9, 2009, while on patrol in the area of Chalfonte and Cherrylawn, officers observed a subject armed with a shotgun. As a result of their investigation, the subject was arrested and charged with "Felony in Possession, Felony Firearm, and Habitual 2nd." A weapon was recovered.



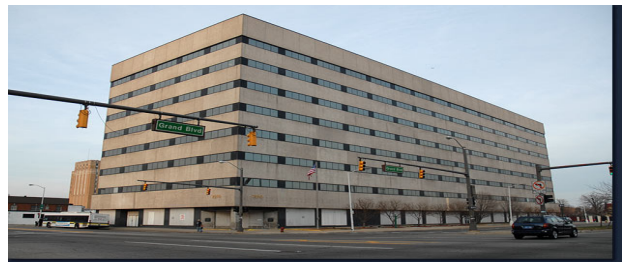
Northeastern District

On June 10, 2009, officers of the Northeastern District responded to the 7000 block of Gratiot on a "Robbery Armed." As a result of their investigation, a subject was arrested and charged with "Robbery Armed and Felonious Assault." A weapon was recovered.



Central District

On June 10, 2009, officers of the Central District responded to the 500 block of Josephine on a "Felonious Assault/Shots Fired" run. Subsequent to their investigation, a subject was arrested and charged with "Felonious Assault, Felon in Possession, Felony Firearm 2nd, and Habitual 3rd." A handgun was recovered.



Southwestern District

On June 14, 2009, officers of the Southwestern District responded to the 11000 block of Cheyenne on a "Shooting." Subsequent to their investigation, the subject was arrested and charged with "Felonious Assault, Felon in Possession, Felony Firearm, Carrying a Concealed Weapon, and Habitual 4th."

AC Fleming introduced Cmdr. Brian Stair of Internal Affairs and Force Investigation.

Cmdr. Stair introduced Lt. Topp who gave the presentation on Force Investigations.

Lt. Topp gave an overview of Force Investigations.

Vice Chair Griffin asked to know if the graphs that detailed firearm discharges by district produced any patterns from that information.

Lt. Topp stated this was taken from the crime stats, and it is a result of the Northwestern District being the largest in the city and the highest call area for service.

Vice Chair Griffin stated the Eastern District's gang activity use to be the highest, but now it is one of the lowest. He asked what's the cause of this improvement.

Lt. Topp stated the Eastern District has had a lot of training along with the supervisors who are in charge.

AC Fleming stated the other factor is that a lot of the citizens in the Eastern District are moving into the Northwestern District.

Vice Chair Griffin asked what is the relationship of Force Investigation in regards to the Consent Decree.

Cmdr. Stair stated they meet with the Monitors on a regular basis to discuss each paragraph of the judgment and they are coming into compliance with the exception of the 90-day time limit to finish the report. Several things can cause them to exceed the 90 days such as the time a case stays at the prosecutor's office.

Vice Chair Griffin asked if the times limit that the prosecutor's keep the case addressed when all parties are meeting with the Monitors.

Cmdr. Stair stated this has been addressed constantly and as a result, the Monitors moved from a 60-day time limit to 90-day time limit.

AC Fleming stated when DC Fields and Cmdr. Romeo meet with the Monitors and the prosecutor's office, they also have discussions on this and it seems to work out for the department.

Vice Chair Griffin asked what is the statute or law regarding an off-duty officer carrying a weapon.

Cmdr. Stair stated an off-duty police officer has a right to carry a gun 24 hours a day, but it is not mandated by the police department.

6. STANDING COMMITTEE REPORTS

Comm. Okdie stated a candidate was selected for the Director of Police Personnel position and announced; subsequently that the person did not accept the compensation package and withdrew. This Subcommittee will resume its search from all the resumes on file.

Vice Chair Griffin stated the process and the interviews were done above and beyond and a fair offer was made to the person, more than what she was currently making and that offer was selected and it was rejected.

The Subcommittee will be moving forward in its process.

7. NEW BUSINESS

There was no new business.

8. OLD BUSINESS

There was no old business.

9. ANNOUNCEMENT OF NEXT MEETING

Thursday, June 25, 2009
Police Headquarters
1300 Beaubien Rm. 328-A
Detroit, MI 48226

10. ORAL COMMUNICATION FROM THE AUDIENCE

Z. Warmann stated he was here about a month ago and was instructed to speak with Internal Affairs but hasn't heard anything until he showed up today. He had dialogue with several people within the department and was given some answers.

Vice Chair Griffin asked if he was satisfied with the information he received.

Z. Warmann stated yes.

Vice Chair Griffin stated before this meeting, he met with Mr. Warmann and his mother along Mr. Goss and others. He stated for them to come back if they aren't satisfied or if they are satisfied to also come back at let this Board know.

N. Coppola stated they will.

Exec Dir. Goss stated that Cmdr. Stair assisted him in the dialogue with Mr. Warmann.

M. Lacy asked if she could bring some closure to her case of being falsely arrested.

Vice Chair Griffin stated he will speak with Chairperson Holley and get her an answer.

R. Scott stated that crime stats can be misleading and one shouldn't read a lot into them. He stated the culture has to be changed first to see what leads to a category one (1).

Vice Chair Griffin stated he would like to put on a venue or have a process where they can come up with some solutions regarding issues such as this.

R. Scott stated AC Fleming has offered that as an option.

Vice Chair Griffin stated this needs to happen so information can be shared and some of the concerns be resolved.

R. Scott stated the level of frustration from the citizens toward the police is very high.

Comm. Rivera stated she received a letter from Mayor Bing and he would like this Board to continue having discussions regarding the towing for the City of Detroit.

11. ADJOURNMENT

The meeting was adjourned at 4:08 p.m.

Respectfully submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/rb